

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

Melanie Galasinski,

Plaintiff,

v.

First Integral Recovery Services
c/o Legal Department
10039 Bissonnet St. Suite 305
Houston , Texas 77036,

Defendant.

Case No.

COMPLAINT

Jury Demand Requested

JURISDICTION AND VENUE

- 1- This court has jurisdiction pursuant to 28 U.S.C. §§1331, 1337, 1367; and 15 U.S.C. §1692k(d).
- 2- Venue is proper because a substantial part of the events giving rise to this claim occurred in this District.

PARTIES

- 3- Plaintiff incurred an obligation to pay money, the primary purpose of which was for personal, family, or household uses (the "Debt").
- 4- Plaintiff is a resident of the State of Illinois.
- 5- Defendant is a corporation with its principal office in the State of Texas.
- 6- Defendant uses instruments of interstate commerce for its principal purpose of business, which is the collection of debts.
- 7- Defendant regularly attempts to collect, or attempts to collect, debts owed or due another.
- 8- At all times relevant, Defendant owned the Debt or was retained to collect the Debt.

FACTS COMMON TO ALL COUNTS

- 9- In or around August 2011, Defendant communicated with Plaintiff to collect the Debt.
- 10- During this communication, Defendant falsely represented to Plaintiff that the Debt was
in litigation.
- 11- As a direct and proximate result of Defendant's misrepresentation, Plaintiff entered into a
payment arrangement with Defendant.
- 12- In or around November 2011, defendant communicated with Plaintiff to collect the Debt.
- 13- During this communication, Plaintiff communicated to defendant that she would not be
able to continue making the payments.
- 14- During this communication, Defendant represented to Plaintiff that the account was in the
legal department.
- 15- During this communication, Defendant threatened to get a judgment against Plaintiff if the
debt was not paid.
- 16- During communication, Defendant threatened to increase the balance of the Debt by
\$2,500 in attorney fees and costs if the Debt was not paid.
- 17- Defendant damaged Plaintiff.
- 18- Defendant violated the FDCPA.

COUNT I

- 19- Plaintiff incorporates all the allegations and statements made above as if reiterated herein.
- 20- Defendant violated 15 USC § 1692e(2) by misrepresenting the character, amount, and/or
legal status of the Debt.

COUNT II

- 21- Plaintiff incorporates all the allegations and statements made above as if reiterated herein.

22- Defendant violated 15 USC § 1692e(5) by threatening to take action against Plaintiff that Defendant cannot legally take.

COUNT III

23- Plaintiff incorporates all the allegations and statements made above as if reiterated herein.

24- Defendant violated 15 USC § 1692e(5) by threatening to take action against Plaintiff that Defendant did not intend to take.

COUNT IV

25- Plaintiff incorporates all the allegations and statements made above as if reiterated herein.

26- Defendant violated 15 USC § 1692e(10) by using false representations and/or deceptive means to collect, or attempt to collect, the Debt.

COUNT V

27- Plaintiff incorporates all the allegations and statements made above as if reiterated herein.

28- Defendant violated 15 USC § 1692f by engaging in unfair and/or unconscionable means to collect, or attempt to collect, the Debt.

COUNT VI

29- Plaintiff incorporates all the allegations and statements made above as if reiterated herein.

30- Defendant violated 15 USC § 1692e by engaging in false, deceptive, or misleading methods to collect a debt.

JURY DEMAND

31- Plaintiff demands a trial by jury.

PRAYER FOR RELIEF

32- Plaintiff prays for the following relief:

- a. Judgment against Defendant for Plaintiff's actual damages, as determined at trial, suffered as a direct and proximate result Defendant's violations of the Fair Debt Collection Practices Act, pursuant to 15 U.S.C. §1692k(a)(1);
- b. Judgment against Defendant for \$1,000 in statutory damages for Defendant's violations of the Fair Debt Collection Practices Act, pursuant to 15 U.S.C. §1692k(a)(2)(A);
- c. Judgment against Defendant for Plaintiff's reasonable attorney's fees and costs incurred in this action, pursuant to 15 U.S.C. §1692k(a)(3);
- d. Any other legal and/or equitable relief as the Court deems appropriate.

RESPECTFULLY SUBMITTED,

Meier LLC

By: /s/ Richard J. Meier

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